

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
CENTRAL FAX****MAY 13 2005**

Applicant: Kevin W. Smith Confirmation No.: 8879  
Serial No.: 09/854,812 Examiner: Unknown  
Filing Date: May 14, 2001 Group Art Unit: 3739  
Docket No.: 1001.1451103 Customer No.: 28075  
For: POLYPECTOMY SNARE INSTRUMENT

Office of OIPE Filing Receipt Corrections  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8(1)(B):  
I hereby certify that this paper is being facsimile transmitted to  
the United States Patent and Trademark Office at (703) 746-9195 on the date shown below.

  
Kathleen L. Boekley

May 13, 2005  
Date

Sir:

Attached is a copy of the official Filing Receipt received with regard to the above application for which issuance of a corrected Filing Receipt is respectfully requested. Applicant has also enclosed a copy of the continuation application Transmittal Letter originally filed. The Transmittal Letter was acceptable practice at the time of the original filing. Particular attention is called to the following items which have been circled on the continuation application Transmittal Letter:

Page 2, No. 3, claims 2-41 were cancelled  
Page 2, No. 4, claim fees based on No. 3 noted above and preliminary amendment  
Page 2, No. 7, request for specification amendment for priority claim  
Page 2, No. 8, assignment reel and frame of parent application was provided, including name of assignee

Applicant requests correction of number of claims and independent claims to indicate the claims as presented in the Transmittal Letter and Preliminary Amendment which was submitted as part of the Continuation Application.

Applicant also requests inclusion of the domestic priority data as indicated on the Continuation Application Transmittal, as such method for claiming priority was allowable and properly submitted at the time of original submission. The priority data should read: "This application is a CON of 09/369,724 08/06/1999".

Further, Applicant again requests review of the filing fees in light of the originally filed Transmittal Letter and Preliminary Amendment

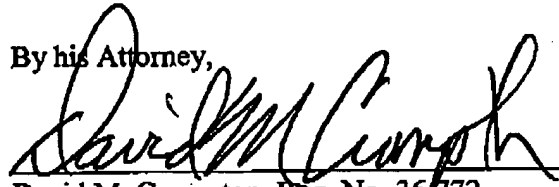
The requested correction is not due to any error by Applicants and no fee is due. Applicants respectfully request correction of this error and issuance of a corrected Filing Receipt in due course.

If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Kevin W. Smith

By his Attorney,



David M. Crompton, Reg. No. 36772  
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1221 Nicollet Avenue, Suite 800  
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Date: 5/13/05



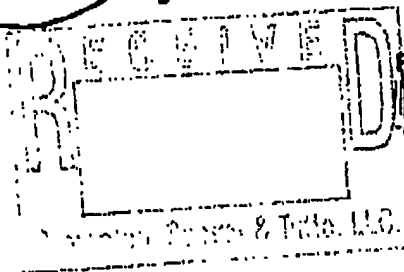
## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO	FILING OR 371 (c) DATE	ARY UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/854,812	05/14/2001	3739	1750	1001.1451103	4	60 20	4

CONFIRMATION NO. 8879

28075  
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MINNEAPOLIS, MN 55403-2420



## FILING RECEIPT

OC000000015685946

Date Mailed: 04/07/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Kevin W. Smith, Coral Gables, FL;

## Power of Attorney:

David Gordon-29996  
Thomas Gallagher-31358  
David Jacobson-39235

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 04/06/2005

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US09/854,812**

Projected Publication Date: 07/14/2005

Non-Publication Request: No

Early Publication Request: No

*This application is a CONT  
09/369.724 08/06/1999*